

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE: WESTWIND MANOR RESORT ASSOCIATION, INC., <i>et al.</i> Debtors.	§ § § §	Case No. 19-50026 (DRJ) (Chapter 11) Jointly Administered
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FORCE 10 AGENCY SERVICES LLC,
TRUSTEE OF THE CREDITOR TRUST

Plaintiff,

VS.

ADV. P. NO. 21-03035

BRENDAN M. FLAHERTY
BMF PROPERTIES, LLC;
WARRIOR GOLF, LLC;
WHOLESALE GOLF SUPPLY &
SERVICES, INC.;
DOT COM ASSET MANAGEMENT, LTD.;
WARRIOR CUSTOM STORAGE & RV, LP,
RIVERBOUND STORAGE
MANAGEMENT, LLC
CIMARRON FOOD AND BEVERAGE, INC.;
WOLF CREEK FOOD AND
BEVERAGE, LLC;
WARRIOR TENNESSEE FOOD AND
BEVERAGE, LLC;
DWIGHT BECKSTRAND
(D/B/A BECKSTRAND LAW OFFICES);
REED A. COLEY; AND
COLEYDOCTER, INC.

Defendants.

UNSWORN DECLARATION OF JEREMY
ROSENTHAL

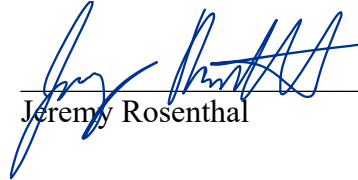
1. My name is Jeremy Rosenthal. I am of sound mind, over the age of 18, and authorized to execute this Unsworn Declaration. I am the authorized person on behalf of the Trustee of the Creditor Trust in the abovementioned cause.

2. The Cimarron Golf Resort (“Golf Course”) is 36-hole golf course outside of Palm Springs, California, and is owned by Warrior Golf LLC, a Delaware limited liability company, a reorganized debtor. An important aspect of operating the Golf Course is being able to serve alcohol to patrons playing golf and at catered events. The State of California requires a liquor license in order to serve alcohol. Defendant Cimarron Food and Beverage, Inc. currently holds the liquor license for the sale of all alcohol at the Golf Course. Throughout Brendan Flaherty’s control of the Golf Course, during the bankruptcy case of Warrior Golf LLC and through to the present the liquor license has been used to serve patrons of the Golf Course. Warrior Golf LLC purchases all alcohol served under the liquor license and pays all taxes associated with the sale of such alcohol.
3. The placement of the liquor license in Defendant Cimarron Food and Beverage, Inc., an entity directly controlled by Defendant Brendan Flaherty, and not an entity owned and operated by Warrior Acquisitions LLC or one of its affiliates served to strip a valuable asset from the Debtors’ bankruptcy estates and from the investors that invested over \$100 million into Mr. Flaherty’s scheme.
4. To maximize the value of the assets of the bankruptcy estates, including the ability to sell the Golf Course to a buyer along with the liquor license, the Trustee requests that the Court enter an order that will effectuate the transfer of the liquor license from Defendant Cimarron Food and Beverage, Inc. who is in default and who has not answered, to Warrior Golf LLC, a Delaware limited liability company, the owner of the Golf Course. The Trustee anticipates that ownership of the liquor license and the Golf Course will increase the sale price of the Golf Course and therefore the assets available for distribution by Warrior Golf LLC.

5. This relief may be accomplished either by transferring control of Cimarron Food & Beverage, Inc. to Warrior Golf LLC, a Delaware limited liability company, or by entering an order authorizing the Trustee to execute any documents required to transfer California liquor license #410705 to Warrior Golf LLC or its designee.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on November 24, 2021



Jeremy Rosenthal